

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

|                                                                                                                                              |   |    |   |                                                                                                                                                                                                                                                       |  |
|----------------------------------------------------------------------------------------------------------------------------------------------|---|----|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Substitution for form 1449/PTO<br><br><h1>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if known</b><br>Application Number      09/970,389-Conf. #9683<br>Filing Date                October 2, 2001<br>First Named inventor      Donald J. Merkley<br>Art Unit                      1791<br>Examiner Name             M. Halpern |  |
| Sheet                                                                                                                                        | 1 | of | 2 | Attorney Docket Number      129843-1022                                                                                                                                                                                                               |  |

[illegible]

| FOREIGN PATENT DOCUMENTS |                       |                                                                                   |                                |                                                 |                                                                              |   |
|--------------------------|-----------------------|-----------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------|------------------------------------------------------------------------------|---|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document                                                           | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages Or Relevant Figures Agrees | † |
|                          |                       | Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (if known) |                                |                                                 |                                                                              |   |
|                          | B1                    | CA-2405354                                                                        | 11-01-2001                     | Weyerhaeuser Co                                 |                                                                              |   |
|                          | B2                    | WO-9845222                                                                        | 10-15-1998                     | Hardie James Res Pty Ltd et al.                 |                                                                              |   |
|                          |                       |                                                                                   |                                |                                                 |                                                                              |   |
|                          |                       |                                                                                   |                                |                                                 |                                                                              |   |
|                          |                       |                                                                                   |                                |                                                 |                                                                              |   |
|                          |                       |                                                                                   |                                |                                                 |                                                                              |   |

|                       |                    |
|-----------------------|--------------------|
| Examiner<br>Signature | Date<br>Considered |
|-----------------------|--------------------|

\*EXAMINER. Initial if reference concerns, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and note discrepancy. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with single asterisk(\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because the application was filed after June 30, 2003 or is included in the IFW. \* Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. \* Error Office that issued the patent document. State Symbols, the initials of the year of the grant of the patent by the United States Patent and Trademark Office, precede the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 is possible. \* Applicant is to place a check mark here if English language Translation is attached.

|                                                                                                                                                                                                                     |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |   |                    |                        |             |                 |                      |                   |          |      |               |            |                        |             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--------------------|------------------------|-------------|-----------------|----------------------|-------------------|----------|------|---------------|------------|------------------------|-------------|
| Substitute for form 1449/PTO<br><br><div style="text-align: center;"><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b></div> <div style="text-align: center;"><i>(Use as many sheets as necessary)</i></div> |                        | <div style="text-align: center;"><b>Complete if Known</b></div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Application Number</td> <td>09/970,389-Conf. #9683</td> </tr> <tr> <td>Filing Date</td> <td>October 2, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Donald J. Merkley</td> </tr> <tr> <td>Art Unit</td> <td>1791</td> </tr> <tr> <td>Examiner Name</td> <td>M. Halpern</td> </tr> <tr> <td>Attorney Docket Number</td> <td>129843-1022</td> </tr> </table> |   | Application Number | 09/970,389-Conf. #9683 | Filing Date | October 2, 2001 | First Named Inventor | Donald J. Merkley | Art Unit | 1791 | Examiner Name | M. Halpern | Attorney Docket Number | 129843-1022 |
| Application Number                                                                                                                                                                                                  | 09/970,389-Conf. #9683 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |   |                    |                        |             |                 |                      |                   |          |      |               |            |                        |             |
| Filing Date                                                                                                                                                                                                         | October 2, 2001        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |   |                    |                        |             |                 |                      |                   |          |      |               |            |                        |             |
| First Named Inventor                                                                                                                                                                                                | Donald J. Merkley      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |   |                    |                        |             |                 |                      |                   |          |      |               |            |                        |             |
| Art Unit                                                                                                                                                                                                            | 1791                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |   |                    |                        |             |                 |                      |                   |          |      |               |            |                        |             |
| Examiner Name                                                                                                                                                                                                       | M. Halpern             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |   |                    |                        |             |                 |                      |                   |          |      |               |            |                        |             |
| Attorney Docket Number                                                                                                                                                                                              | 129843-1022            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |   |                    |                        |             |                 |                      |                   |          |      |               |            |                        |             |
| Sheet                                                                                                                                                                                                               | 2                      | of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2 |                    |                        |             |                 |                      |                   |          |      |               |            |                        |             |

| NON PATENT LITERATURE DOCUMENTS |                       |                                                                                                                                                                                                                                                                 |                          |
|---------------------------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Examiner Initials               | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup>           |
|                                 | C1                    | Expert Declaration from Dr. Dahl with CV dated 1/28/2009                                                                                                                                                                                                        | <input type="checkbox"/> |
|                                 | C2                    | Expert Declaration from Dr. Roffael with CV dated 1/28/09                                                                                                                                                                                                       | <input type="checkbox"/> |
|                                 | C3                    | MACDOUGALL, F.H., "Reactions in Heterogeneous Systems" in Thermodynamics and Chemistry, New York, NY (1921), pg. 64                                                                                                                                             | <input type="checkbox"/> |
|                                 |                       |                                                                                                                                                                                                                                                                 | <input type="checkbox"/> |
|                                 |                       |                                                                                                                                                                                                                                                                 | <input type="checkbox"/> |
|                                 |                       |                                                                                                                                                                                                                                                                 | <input type="checkbox"/> |
|                                 |                       |                                                                                                                                                                                                                                                                 | <input type="checkbox"/> |
|                                 |                       |                                                                                                                                                                                                                                                                 | <input type="checkbox"/> |
|                                 |                       |                                                                                                                                                                                                                                                                 | <input type="checkbox"/> |
|                                 |                       |                                                                                                                                                                                                                                                                 | <input type="checkbox"/> |
|                                 |                       |                                                                                                                                                                                                                                                                 | <input type="checkbox"/> |

|                    |                |                 |         |
|--------------------|----------------|-----------------|---------|
| Examiner Signature | /Mark Halpern/ | Date Considered | 5/25/09 |
|--------------------|----------------|-----------------|---------|

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>Applicant is to place a check mark here if English language Translation is attached.